

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**MINUTES OF PROCEEDINGS:**

DATE: December 1, 2005

BEFORE HONORABLE **JAY A. GARCIA GREGORY**

COURTROOM DEPUTY: Carmen Tacoronte

COURT REPORTER: Barbara Dachman

INTERPRETER: Mayra Cardona (contract)

**CASE NO. CV. 02-2661 (JAG)**

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Attorneys

Maria Alsina Ortiz, et al.

Glenn James Hernandez

vs

Zoe Laboy, et al.

Lavinia Aparicio

Josué Gonzalez

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**Fourth day of Jury Trial held.** Jury note #1 was received at 9:59 A.M., stating that one of the jurors has a vacation scheduled to start on December 6, 2005. After consulting the note with the attorneys, the jurors were informed that the seven remaining jurors will continue with the deliberation process if needed.

Testimony of Maria Esther Ocasio Alsina was heard on behalf of plaintiffs. Plaintiffs rested their case. After lunch break, the jury was brought back into Court and were informed that the defendant, Emilio Castillo, had rested his case. Jurors were excused for the day at 2:00 P.M.

Motion for judgment as a matter of law under Rule 50 was presented by Attorney Gonzalez on behalf of defendant. Plaintiffs presented a Cross-motion for judgment as a matter of law under Rule 50. After hearing the parties, the Court reserved the decision on both motions.

**Charging Conference held.** Final Jury Instructions and verdict form were discussed by the parties. While discussing the instruction pertaining damages the Court decided to strike plaintiffs' exhibits 6, 7 and 8.

**Further Jury Trial set for December 2, 2005 at 9:30 A.M.**

s/Carmen L. Tacoronte  
Carmen L. Tacoronte  
Courtroom Deputy